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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,000	09/23/2005	Pasi Kakkonen	DB001177-000	1677
24122 7590 12/20/2007 THORP REED & ARMSTRONG, LLP ONE OXFORD CENTRE 301 GRANT STREET, 14TH FLOOR PITTSBURGH, PA 15219-1425			EXAMINER NGUYEN, JIMMY T	
			ART UNIT 3725	PAPER NUMBER
			MAIL DATE 12/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/533,000	Applicant(s) KAKKONEN, PASI	
	Examiner Jimmy T. Nguyen	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-6 and 8-18 is/are pending in the application.
- 4a) Of the above claim(s) 3-6 and 11-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-10, 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on October 12, 2007 has been entered and considered and an action on the merits follows.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drawing of “said second frame is adjustably connected to the first frame” (claim 8, the last two lines, claim 15, line 3, and claim 18, line 3) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet”

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pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The specification is objected to under 37 CFR 1.71 as not clearly describing the subject matter.

The specification further discloses “the interconnection section 56 between the first and the second frame is designed, The interconnection allows adjustments in X ..., Y..., Z.. directions” (page 7, last two lines and page 8, line 1), but it does not clearly describe how the structure of the interconnection section is arranged in order make the adjustments.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 8-10,15, and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claims 8, 15, and 18, see discussion in the objections to the specification under 37 CFR 1.71 as set forth above with regard to the adjustable functions and the connection joints

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which allow adjustment in the x, y, z directions. The specification does not clearly describe how the one frame is adjustable connected to the other frame and how do they mount to one another in order to allow adjustment in the x, y, z directions. Therefore, it is unclear how one would make the calendar arrangement including the subject matter of claims 8, 15 and 18 because it's not known what is the claimed structure.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding lines 4-5, there is no antecedent basis for the limitation "the x, y, and z directions" in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 8-10, 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by anticipated by Svenka et al. (hereinafter "Svenka") (US 6,688,218).

Regarding claims 8 and 15, Svenka discloses a calender arrangement comprising a first stack of rolls (4-7) arranged on a first frame (13) and a second stack of rolls (4'-7') "arranged" on a second frame (18'). Both of the first stack of rolls and the second stack of rolls further comprises a plurality of calendaring nips (9-11 and 9'-11'), wherein the nips to be used are selectable out of both of the stack of rolls (fig. 3) and both of the stacks of rolls are used in combination together (fig. 3). The second frame (18') is adjustable connected (i.e. adjustable by movement of the cylinder (19')) to the first frame (13). The second frame (18') is slidably attached to the first frame (13) (fig. 3), and thus, the second frame is capable to be removed from the first frame.

Regarding claim 9, the second frame is adjustable in relation to the first frame (fig. 3) such that the adjustment is feasible in a X, Y, and Z direction (i.e. upward, downward, and upward direction).

Regarding claim 10, the web is guided first through the nips of the first stack (fig. 3) and after that through the nips of the second stack (fig. 3).

Regarding claims 16 and 17, Svenka discloses one of the frame is adjustable connected to the other of the frames as set forth above. Therefore, Svenka discloses one of the frame being movable relation to the second frame.

Regarding claim 18, Svenka discloses a calender arrangement comprising a first stack of rolls (4-7) arranged on a first frame (13) and a second stack of rolls (4'-7') "arranged" on a second frame (18'). Both of the first stack of rolls and the second stack of rolls further comprises a plurality of calendaring nips (9-11 and 9'-11'), wherein the nips to be used are selectable out of both of the stack of rolls (fig. 3) and both of the stacks of rolls are used in combination together

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(fig. 3). The second frame (18') is adjustable connected (i.e. adjustable by movement of the cylinder (19')) to the first frame (13). The second frame (18') is slidably attached to the first frame (13) (fig. 3), and thus, the second frame is capable to be removed from the first frame. The second frame is adjustable in relation to the first frame (fig. 3) which allow adjustment in X, Y, and Z directions (i.e. upward, downward, and upward directions).

Response to Arguments

Applicant's arguments filed October 12, 2007 have been fully considered but they are not persuasive.

With regard to the drawing objection, the Applicant argued that a drawing of a bolted joint or similar arrangement is not essential for a proper understanding of the invention, this argument has been consider. However, a drawing of how one frame is adjustably connect to the other frame is essential for a proper understanding of the invention, and this drawing is required since the limitation "adjustably connect" is being claimed.

With regard to the 35 USC 112, first paragraph rejection, the Applicant argued that page 8, lines 3-5 of the specification discloses, "For attaching the second frame 42 to the first frame 17 a bolted joint or similar arrangement is preferred.", which renders the 35 USC 112, first paragraph rejection as noted in the last Office action moot. This argument is not found persuasive because the statement above only discloses how one frame is being connected to other frame, it does not disclose how one frame is **adjustably connect** to the other frame, especially the type of connection that allows an adjustment in X, Y, Z directions. Since the applicant fails to

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overcome the “adjustably connect” issue, the 35 USC 112, first paragraph rejection is repeated as set forth above.

With regard to the claims rejections, the Applicant argued that both of the stacks of Svenka being attached to the same frame (13) and Svenka does not disclose a first stack of rolls being adjustable and moveable compared to a second stack. With respect to Applicant's assertions, the Examiner did not interpret that both of the stacks being attached to the frame 13, and the claims do not require that **a first stack of rolls** being adjustable and moveable compared to **a second stack**, they require that **one of the frames** is being adjustably and moveably connect to the other one of **the frames**. With this requirement, one of the frames is adjustable in relation to the other frame, but the stack of rolls can be stationary. Since the claims do not clearly define the structural connection of the stack of rolls and the respective frame (for example: each of the rolls on the stack of rolls is attached to a lever, the levers are attached to a first frame), the Examiner broadly interpreted a second stack of rolls (4'-7') “arranged” on a second frame (18') as shown in figure 3. Since the frame 18' is a sliding guide, which is sliding up and down in a small distant by the loading of the cylinder 19' to close/open nips between the rolls in the stack, the frame 18' is adjustable and moveable in relation to the frame 13. The applicant must clearly define the structural arrangement between the stack of rolls and the respective frame in order to overcome the rejections. Furthermore, since the claims 9 and 18 do not require that X, Y, Z directions are different directions, the Examiner interprets the X, Y, Z directions as being upward, downward, and upward directions.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

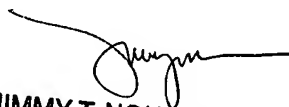
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm with alternating Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTNguyen
December 19, 2007



JIMMY T. NGUYEN
PRIMARY EXAMINER